

## PENNSYLVANIA FY2014 – FY2016 RCRA SUBTITLE I UNDERGROUND STORAGE TANK PROGRAM WORKPLAN

<b>Goal 3: Cleaning Up Communities and Advancing Sustainable Development</b> – Clean up communities, advance sustainable development, and protect disproportionately impacted low-income, minority, and tribal communities. Prevent releases of harmful substances and clean up and restore contaminated areas.			
<b>Objective 3.2: Preserve Land</b> – Conserve resources and prevent land contamination by reducing waste generation, increasing recycling, and ensuring proper management of waste and petroleum products.			
			<b>PRC:</b> 302DJ6
<b>Workplan Component:</b> <b>Compliance</b>	<b>Work Years/Allocated Funding:</b> <b>FY 2014: 0.16/\$17,006</b> <b>FY 2015: 0.15/\$17,006</b> <b>FY 2016: 0.15/\$17,006</b>	<b>State Contact:</b> <b>Kris Shiffer</b> <b>717-772-5809</b>	<b>EPA Contacts:</b> <b>Program: Farhan Nuruzzaman, 215-814-3382</b> <b>Grants: Evelyn Velazquez 215-814-5412</b>
<b>Environmental Outcomes</b>	<b>Measures</b>	<b>Outputs for FY 2014 - 2016 (Commitments)</b>	<b>Status/Comment</b>
To reduce the risks to human health and the environment from Underground Storage Tank (UST) releases by properly managing petroleum and hazardous substances.	A. By the end of FY 2016, increase the percentage of UST facilities that are in significant operational compliance with both release detection and release prevention requirements by 0.5% over the previous year's rate to a minimum of 68.5%.  <b>Note:</b> <i>We are using the national goal number from the FY2011 – 2015 EPA Strategic Plan</i>	A1. State will report Significant Operational Compliance (SOC) rates for Release Detection, Release Prevention, and the Combined Release Detection/Prevention rate  A2. State will report the number of Active federally-regulated facilities  A3. State will report the number of USTs in temporary closure.  A4. State will report the number of Active Hazardous Substance USTs.  A5. State will report any observable trends in confirmed releases  A6. State will report inspection information in the attached UST Inspection Tracking Chart (Table 1).  A7. State may report any other outputs.	A1. End-of-Year [16]: % in SOC for RD: 85.1% % in SOC for RP: 85.5% % in SOC RD & RP: 75.9%  A2. # of Active, federally-regulated facilities: 7814  A3. # of USTs in Temp. Closure: 1495  A4. # of Active Hazardous Substance USTs: 67  A5. See below.  A6. See Table 1.  A7. See below.

Compliance rates are derived from initial third-party inspections only. The entire facility (all USTs) must satisfy SOC before the facility is considered compliant. Compliance rate is numerically equal to the number of compliant facilities divided by the number of third-party inspection reports received and processed during the last 12 months. There were 2774 facility inspections performed by DEP-certified, third-party inspectors during the period 10/01/2015 to 09/30/2016. Of the facilities inspected, 2372 were found to be in SOC for release prevention measures, 2362 for release detection measures and 2105 facilities were determined to be in overall SOC.

The overall SOC rate for this reporting period is 75.9%, exceeding the national goal of 68.5% and up 1.1% from FFY 2015 end-of-year. Also, during the current reporting period, SOC with release prevention (spill, overfill and corrosion) was 85.5% (down 1.0% from FFY 2015 end-of-year) and SOC with release detection was 85.1% (up 2.4% from FFY 2015 end-of-year). DEP continues to monitor all search criteria to ensure accurate results.

Operating permits are automatically withdrawn (previously permitted) or withheld (new notification without existing permit) for tanks in temporarily out-of-service (TOS) status. Facilities that are in SOC are allowed to remain TOS for a maximum of 3 years, when they must either return to service, request an extension to remain TOS, or close.

Overall, over the last ten years, the number of confirmed releases reported to the DEP has trended downward. At the end of calendar year 2015, Pennsylvania recorded the lowest number of USTIF claims reported since the creation of the USTIF in 1994. In addition, the number of open claims has continued to decline. However, new claims have increased thus far in 2016. Currently, 139 new USTIF claims have been reported for calendar year 2016. Not all of the USTIF claims, however, result in confirmed releases.

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			<b>PRC:</b> 302DJ6
<b>Workplan Component:</b> <b>Compliance/Monitoring and Enforcement</b>	<b>Work Years/Allocated Funding:</b> <b>FY 2014: 9.28/\$991,248</b> <b>FY 2015: 8.82/\$991,248</b> <b>FY 2016: 8.46/\$991,249</b>	<b>State Contact:</b> <b>Kris Shiffer</b>	<b>EPA Contacts:</b> <b>Program: Farhan Nuruzzaman, 215-814-3382</b> <b>Grants: Evelyn Velazquez 215-814-5412</b>
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To reduce the risks to human health and the environment from Underground Storage Tank (UST) releases by properly managing petroleum and hazardous substances.	<p>B. Number of SOC inspections conducted <b>Note:</b> This assumes that 100% of SOC inspections include FR</p> <p>Number of other types of inspections conducted <b>Note:</b> State may count EPA UST inspections (either a UST-only inspection or an inspection done as part of a multi-media inspection) conducted in the State toward the 3-year inspection requirement of the Energy Policy Act</p> <p>Inspection or targeting strategy</p> <p>Number of enforcement actions taken and amount of penalties collected</p>	<p>B1. State will report the number of Significant Operational Compliance (SOC) inspections performed.</p> <p>B2. State will describe its inspection or targeting criteria if EPA believes the state will not achieve the 3-year inspection requirement.</p> <p>B3. State will seek to support Region 3 and OUST initiatives as best as limited resources allow.</p> <p>B4. Annually, at end-of-year, State will submit an electronic file of its universe of USTs. The electronic file will include: (1) facility identifying information, and (2) the date of last inspection.</p> <p>B5. State will report enforcement information in the attached UST Enforcement Tracking Chart (Table 2).</p> <p>B6. State may report any other outputs</p>	<p>B1. End-of-Year [16]: # of SOC Inspections: 1605</p> <p>B2. N/A</p> <p>B3. See below.</p> <p>B4. DEP submitted an electronic file of its universe of USTs on October 28, 2016, with the submission of the FFY16 End-of-Year Report.</p> <p>B5. See information in Table 2.</p> <p>B6. See below.</p>

In general, DEP and their certified inspectors perform full SOC inspections, less financial responsibility (FR). Inspectors do advise UST owners/operators on FR requirements. The Underground Storage Tank Indemnification Fund (USTIF) staff complete the Financial Responsibility (FR) reviews separately, on a case-by-case basis. When failure to pay USTIF fees occurs, the responsible party is turned over to the Attorney General's office for follow-up and resolution. In addition, when a facility submits an amended registration form to place a tank system back into service or requests an extension of a tank system's Temporary Out-of-Service (TOS) status, a check of any unpaid USTIF fees is made. If an outstanding balance remains against the current owner, the DEP will not process the form or deny the TOS extension request. Several DEP Regions have used suspension of operating permits as an enforcement tool against a facility with unpaid USTIF fee balances. The DEP receives a list of all delinquent USTIF accounts. USTIF provides such lists on a monthly basis. This list is used by the DEP regional offices in compliance actions. During the reporting period, 43 enforcements were initiated against facilities with unpaid USTIF fees.

During this 6-month period, the Division of Storage Tanks sent notification letters to owners/operators of 1170 UST facilities to have a third-party facility operations inspection completed. Technical reviews using federal UST grant funds were completed for the 1392 inspection reports received from third-party inspectors. Division staff also sent 130 Notice of Violation (NOV) letters (included in table 2) to UST facility owners who failed to have an inspection performed. Of the inspection reports reviewed, 370 noncompliant facilities were referred to the regional offices for follow-up and enforcement action as appropriate. Note: regional referrals are made based on the guidance document "Storage Tank Program Internal Policy on Inspections and On-Site Visits," which includes follow-up timeframes.

During this 6-month period, one owner of two regulated UST systems had third-party lining evaluations performed. The lining evaluations passed. Pennsylvania currently has 77 underground tanks (only 48 of which are currently in use) at 32 facilities that utilize a liner as the sole method of corrosion protection. This represents only 0.3% of Pennsylvania's underground tank population.

During the current reporting period, the Division of Storage Tanks mailed fifty-four extension approval letters to owners of TOS USTs that were at the 3-year deadline for TOS status. Five-hundred thirty-nine approvals have been provided to date. A total of eighty-seven denial letters have been mailed, 8 of which were sent during the current reporting period. Any facility where the 3-year TOS deadline has passed and an extension has not been granted was referred to the regional offices for appropriate follow-up.

Regional offices took 63 enforcement actions (included in table 2) during the reporting period and collected a total of \$162,171.

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			<b>PRC: 302DJ6</b>
<b>Workplan Component:</b> <b>Compliance/Energy Policy Act</b>	<b>Work Years/Allocated Funding:</b> <b>FY 2014: .09/\$9,930</b> <b>FY 2015: .09/\$9,930</b> <b>FY 2016: .08/\$9,930</b>	<b>State Contact:</b> <b>Kris Shiffer</b>	<b>EPA Contacts:</b> <b>Program: Farhan Nuruzzaman, 215-814-3382</b> <b>Grants: Evelyn Velazquez 215-814-5412</b>
<b>Environmental Outcomes</b>	<b>Measures</b>	<b>Outputs for FY14 - 16 (Commitments)</b>	<b>Status/Comment</b>
To reduce the risks to human health and the environment from Underground Storage Tank (UST) releases by properly managing petroleum and hazardous substances.	C. In accordance with the timelines and details of the Energy Policy Act Grant Guidelines, implement appropriate regulatory and program capabilities to comply with the provisions of the Energy Policy Act of 2005.	<p>C1. State will implement the requirements of the Energy Policy Act Grant Guidelines in these areas:</p> <ul style="list-style-type: none"> <li>a) Secondary Containment or Financial Responsibility (for manufacturers &amp; installers)</li> <li>b) Delivery Prohibition</li> <li>c) Operator Training Program</li> <li>d) Public Record</li> <li>e) Three-year Inspection</li> <li>f) Certification of compliance prior to grant award, amendment, or increase.</li> </ul> <p>C2. State may report any other outputs.</p>	<p>C1. a) Statewide secondary containment requirements were included in the rulemaking that was effective 11/10/2007.</p> <p>b) DEP's existing delivery prohibition program was formalized in a program guidance that became effective 02/09/2008. A website listing of all USTs ineligible for delivery is maintained and updated daily. See Table 2.</p> <p>c) DEP has developed a program guidance to ensure the uniform application of the mandatory retraining provision when noncompliance is found during an onsite inspection. The guidance document was finalized with notice in the Pennsylvania Bulletin on 10/16/2010.</p> <p>d) DEP posted the first public record on the Storage Tank Program's web page on 12/09/2008. The public information page was last updated on 11/17/2015.</p> <p>e) See below.</p> <p>f) DEP updated its USTCA guidelines compliance certification on 12/17/2015.</p> <p>C2. See below.</p>

During November 2007, DEP completed taking an operating permit action at all active underground facilities, including facilities with hazardous substance tanks. Permit status was reviewed for all in-use and TOS USTs. Operating permits for TOS USTs were withdrawn based on new regulatory provisions. Based on inspections and registration forms, all un-permitted, currently in-use, hazardous substance USTs were issued a general operating permit and petroleum tanks were issued permits by rule. Delivery prohibition involves revoking or suspending operating permits with a formal Department order.

DEP finalized Guidance Document Number 263-2300-001, entitled, “Underground Storage Tank Class A and Class B Operator Training Courses”, which explains Pennsylvania’s Class A, B, and C operator requirements. After receiving no comments following a public comment period, notice of the final document was published in the Pennsylvania Bulletin on October 16, 2010. This guidance correlates with changes to Chapter 245 published on December 26, 2009, and allows the Department to continue to receive Federal grants under Subtitle I.

DEP has approved 36 companies to conduct Class A and B Operator Training since adopting operator training regulations in 2007. These training courses are granted three-year approval windows, at the end of which the companies may apply to extend their course approval for an additional three years. A total of 32 companies are currently approved. Nine of the companies will only train their own employees or business affiliates. One company application is currently under review. DEP has 120 days from receipt date to complete the initial review of any operator training application.

After August 8, 2012, all active regulated underground storage tank facilities were required to have at least one designated Class A, B, and C operator. Beginning August 9, 2012, DEP began to track compliance with this requirement. Compliance rates are derived from initial third-party inspections only and are numerically equal to the number of compliant facilities divided by the number of third-party inspection reports received and processed after August 8, 2012. There were 11,035 facility inspections performed by DEP-certified, third party inspectors and reviewed by DEP staff during the period 08/09/2012 to 09/30/2016. Of the facilities inspected, 8,411 or 85.5% were found to have a Class A, B, and C operator designated and trained. During the current reporting period, 90.2% of the inspections performed on regulated facilities were found to be compliant with operator training regulations. A further analysis shows that 96.5% of the UST facilities inspected within the current reporting period are compliant with the Class A and B operator requirements and that 63.9% of all Operator Training violations are a result of a lack of a properly trained Class C operator.

The DEP, in an effort to improve overall compliance, developed a special notice in November 2014, regarding the specific requirements for Class C operators. In addition, storage tank program staff continue the practice of mailing a one-page information sheet titled “Operator Training in Brief: What you need to know” to regulated storage tank owners. Both of these notices have been posted on the Division of Storage Tanks website, and are being provided as an insert in all registration fee invoice and inspection notice mailings. DEP will continue to track compliance data on the operator training requirement in order to determine if additional communication with the regulated community needs to be made.

In accordance with our final rulemaking that became effective 11/10/2007, all active UST systems were phased into a 3-year inspection schedule through 08/08/2010. To accomplish the phase-in, required inspection due dates have been entered into the Department’s database. New owners and new facilities are required to be inspected 6 months to 1 year after taking responsibility for, or installing, an UST system so that problems resulting from inexperience or installation can be identified. In addition, any underground storage tank system that has a change of use from temporarily out-of-use to currently in-use status is required to be inspected within 1 year from the change in operational status. This practice allows the DEP to determine if a potential new operator of a facility is operating the tank system in compliance of Pennsylvania storage tanks rules and regulations.

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			<b>PRC:</b> 302DJ6
<b>Workplan Component:</b> <b>Program</b> <b>Development/Implementation</b>	<b>Work Years/Allocated Funding:</b> <b>FY 2014: 0.40/\$42,457</b> <b>FY 2015: 0.38/\$42,457</b> <b>FY 2016: 0.36/\$42,457</b>	<b>State Contact:</b> <b>Kris Shiffer</b>	<b>EPA Contacts:</b> <b>Program: Farhan Nuruzzaman, 215-814-3382</b> <b>Grants: Evelyn Velazquez 215-814-5412</b>
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To reduce the risks to human health and the environment from Underground Storage Tank (UST) releases by properly managing petroleum and hazardous substances.	D. Consider and implement any innovative methods to improve program performance (e.g., Multi-Site Agreements, etc.)  Coordinate with Water programs to optimize potential protections to human health and the environment.  Maintain / expand program knowledge & expertise.	D1. State will report any innovative methods used to improve program performance.  D2. Discuss coordination efforts with Water programs.  D3. State will attend and participate in National Tanks Conferences, EPA Region 3 All-States Meetings, and UST Inspector Workshops, as scheduled.  D4. State may report any other outputs.	D1. See below.  D2. See below.  D3. Kris Shiffer, Division of Storage Tanks, attended the Region 3 All-States Meeting on May 24-25, 2016.  D4. See below.

Delivery companies are contacted for both voluntary and involuntary shutdowns. Six distributors were contacted this reporting period and advised that it would be in their best interest not to deliver to out-of-compliance facilities. In addition, 23 facilities were asked to voluntarily cease operation of their UST systems due to significant violations identified by the DEP. This is very effective in persuading owners to repair chronic or egregious problems. This is the same enforcement mechanism that would be used for part of the delivery prohibition. The DEP also continues to request that an owner not receive product deliveries until problems are corrected. During the current reporting period, 30 facilities were asked to voluntarily cease delivery of fuel to one or more of their tank systems. This action is normally used when overfill or spill prevention is the violation. It allows DEP to emphasize the need for compliance while reducing the threat to the environment by allowing the tank systems to be pumped down over a short time. This enables the owner to partially operate their facility while correcting violations. If a facility owner refuses a voluntary request, field orders are available for prompt enforcement action by DEP field staff.

The Storage Tank Program coordinates program matters with DEP Water Programs. Within each region there is cooperation between the water and UST programs to discuss overlapping areas of concern and policy issues, such as, releases, incidents and potential impacts to streams, surface water impounds, ground water resources and water facilities. Storage tank regional staff continue to assist Water Quality in performing Discharge Monitoring Report (DMR) reviews and inspections at tank cleanup locations. These sites are currently being monitored by storage tank staff who have a vested interest in them. Tank staff who observe violations at the sites may refer the matter to Water Quality who will handle any follow-up enforcement. Program information on facility types, owners and locations, inspections, compliance, enforcement, registration, permitting, releases and site cleanups is shared through the Environment, Facility, Application, Compliance Tracking System (eFACTS) database.

Administrative and technical training became a requirement for renewal of certification after 11/10/2009 for approximately 868 DEP-certified installers and inspectors. Training must be received within 2 years of an individual's renewal date. The Division of Storage Tank's Certification and Permitting Unit began administrative training seminars in May 2008 and has held 58 seminars to date. Beginning in 2015, the Division of Storage Tank's Compliance and Enforcement Section, which comprises the UST and AST Units, incorporated the administrative training in their respective technical training. The UST Unit's technical training, in addition to key components of the administrative training, educates certified installers and inspectors on current issues involving program policy and regulations. This allows certified individuals the ability to fulfill their administrative training requirements while being updated on technical items associated with their certifications. Many certified individuals have expressed positive feedback to these training sessions. Five training seminars were held during the current reporting period, including one for newly certified third party inspectors. Additional training seminars are scheduled throughout the year at all six DEP regional offices.

DEP agrees to adhere to all of the applicable provisions of 40 CFR Part 31 – Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments; OSWER Directive 9650.10A – State UST Grant Guidance; and other applicable regulations and guidance.

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			<b>PRC:</b> 302DJ6
<b>Workplan Component:</b> <b>Administrative &amp; Program Planning</b>	<b>Work Years/Allocated Funding:</b> <b>FY 2014: 0.72/\$76,469</b> <b>FY 2015: 0.68/\$76,469</b> <b>FY 2016: 0.65/\$76,469</b>	<b>State Contact:</b> <b>Kris Shiffer</b>	<b>EPA Contacts:</b> <b>Program: Farhan Nuruzzaman, 215-814-3382</b> <b>Grants: Evelyn Velazquez 215-814-5412</b>
<b>Environmental Outcomes</b>	<b>Measures</b>	<b>Outputs for FY14 - 16 (Commitments)</b>	<b>Status/Comment</b>
To reduce the risks to human health and the environment from Underground Storage Tank (UST) releases by properly managing petroleum and hazardous substances.	E. State will develop and maintain administrative and planning functions sufficient to implement an effective UST program.	<p>E1. State will ensure the quality of data management systems and eliminate data entry backlogs via periodic data reviews, training, and database improvements.</p> <p>E2. State will report Semi-Annual Measures data into the LUST4 database within 7 calendar days of the end of the semi-annual reporting period (by April 7 and October 7).</p> <p>E3. State will submit narrative Self-Assessment Reports within 30 days after the end of the semi-annual reporting period (by April 30 and October 30), and participate in semi-annual reviews.</p> <p>E4. State will support regional and EPA strategic planning efforts.</p> <p>E5. State will allocate In-Kind funding to support staff attendance at UST inspector workshops, All-States Meetings, and other EPA training.</p>	<p>E1. The Environmental, Facility, Application, Compliance Tracking System (eFACTS) has been maintained.</p> <p>E2. The mid-year FFY 16 SAAR was submitted on 04/08/2016. The end-of-year FFY 16 SAAR was submitted on 10/06/2016.</p> <p>E3. The mid-year FFY 16 Self-Assessment report was submitted on 04/27/2016. The end-of-year FFY 16 Self-Assessment report was submitted on October 28, 2016. DEP participated in the mid-year FFY 16 review on 06/03/2016 in Harrisburg, PA.</p> <p>E4. Goals from the FFY 2011-2015 EPA Strategic Plan are included as part of this workplan.</p> <p>E5. In-Kind Funding was allocated in FFY15 to support attendance at the November 2015 UST inspector workshop.</p>

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			<b>PRC: 302DJ6</b>
<b>Workplan Component: Administrative &amp; Program Planning</b>	<b>Work Years/Allocated Funding:</b> <b>FY 2014: 0.72/\$76,469</b> <b>FY 2015: 0.68/\$76,469</b> <b>FY 2016: 0.65/\$76,469</b>	<b>State Contact:</b> <b>Kris Shiffer</b>	<b>EPA Contacts:</b> <b>Program: Farhan Nuruzzaman, 215-814-3382</b> <b>Grants: Evelyn Velazquez 215-814-5412</b>
<b>Environmental Outcomes</b>	<b>Measures</b>	<b>Outputs for FY14 - 16 (Commitments)</b>	<b>Status/Comment</b>
To reduce the risks to human health and the environment from Underground Storage Tank (UST) releases by properly managing petroleum and hazardous substances.	E (cont'd). State will develop and maintain administrative and planning functions sufficient to implement an effective UST program.	<p>E6. State will prepare and maintain current, EPA-approved QMP (approved 1/2011) &amp; QAPP (approved 10/2012). State will also review the existing EPA-approved plans by year-end and report on need to revise/update the plans.</p> <p>E7. State will take appropriate steps to adopt revised UST regulations (anticipated by Fall 2014), including developing and submitting an authorization package within three years of federal adoption.</p> <p>E8. State will request documentation during inspections to determine whether facilities storing higher blends of ethanol or biofuels are in compliance with EPA's compatibility requirements. State will also verify compliance with compatibility requirements during installation of any new UST system components.</p> <p>E9. State may report other outputs.</p>	<p>E6. DEP reviews the Quality Management Plan (QMP) at least annually and revises it as necessary. The QMP was updated by DEP and approved by EPA on April 22, 2016. DEP continues to incorporate standard program-specific grant conditions into program activities, when appropriate.</p> <p>E7. See below.</p> <p>E8. See below.</p> <p>E9. N/A</p>

DEP storage tank regulations require that regulated UST systems be constructed or lined with material that is compatible with the substance stored. Compliance inspections of UST systems involve determination that the component has been confirmed by a Nationally Recognized Testing Laboratory (NRTL), such as Underwriters Laboratories (UL), and/or has been verified by the component manufacturer for use with the substance stored. In addition, DEP Certified Tank Installers are required to install UST components that are compatible with the substance stored and sign off verifying as such. Failure to abide by this requirement jeopardizes a certified installer's certification and subjects him/her to enforcement action.

In addition, the Division of Storage Tanks has issued an Alternative Fuel Storage Tank Installation/Conversion Form and accompanying Fact Sheet titled "Underground Storage Tank (UST) Equipment Compatibility & Storage of Biofuels and Biofuel Blends". This form was included in the "Inspecting for the Compatibility of USTs with Alternative Fuels" poster that was presented by Mr. Michael Pomes, EPA Region 7, at the 25<sup>th</sup> National Tanks Conference. The Alternative Fuel Storage Tank Installation/Conversion Form is required to be submitted for all USTs and any aboveground storage tank used for motor vehicle fueling, which are intended to store alternative fuel blends such as E15, E85, and biodiesel blended fuel containing greater than 5% biodiesel. DEP will not approve an operating permit for an alternative fuel storage tank system unless it is shown that all storage tank components are compatible with the substance stored. All DEP-certified installers and inspectors were notified of the requirement to utilize this new form. In addition, the form is discussed during technical update training provided by DEP.

Beginning in September 2016, the DEP began mailing a one page document titled, "Corrosion Risks in Underground Storage Tanks Storing Diesel Fuel" with all monthly inspection reminder letters. This document summarizes the EPA's sponsored study on the effects of storing diesel fuel on underground storage tank systems. The DEP was informed of this study by EPA staff and felt it important to assist the EPA in disseminating the information to the regulated community.

On July 15, 2015, the first revisions to 40 CFR Part 280 were published in the Federal Register as final. Also on July 15, EPA updated the state program approval requirements in 40 CFR Part 281. Under these changes, EPA is requiring that states revise their UST regulations and apply for initial or revised state program approval within 3 years of the effective date of the final EPA rule. The effective date of the final EPA rule is October 13, 2015. Pennsylvania currently has state program approval. Therefore, DEP will need to revise Chapter 245 to be no less stringent than the federal requirements and apply for revised state program approval by October 13, 2018. The scope of this initiative has already been discussed with the DEP regional program section chiefs and managers. Beginning in April 2014, program staff were provided with the ability to suggest revisions to Chapter 245 via a shared folder established on the program's local area network. These suggestions were reviewed and initially discussed with the regional program section chiefs and managers on September 29 – October 1, 2015. In addition, a summary of EPA's changes was discussed during the September 1, 2015, Storage Tank Advisory Committee (STAC) meeting held in Harrisburg, PA. During the December 8, 2015, and June 7, 2016, meetings with the STAC, Division of Storage Tank staff reviewed the summary of EPA changes and presented conceptual ideas of potential additional changes to Chapter 245. This same information was presented at the March 30, 2016, meeting of the Tank Installers of Pennsylvania (TIP), an organization made up of DEP Certified Tank Installers. Feedback from STAC and TIP was reviewed with DEP regional program section chiefs and managers at the April 5-7, 2016, meeting in Harrisburg, PA. DEP began presenting draft proposed rulemaking to DEP regional program section chiefs during the September 27, 2016, meeting in Harrisburg, PA. DEP plans to present draft proposed rulemaking to the STAC during the scheduled December 6, 2016, fourth quarter meeting. DEP anticipates Environmental Quality Board (EQB) consideration of the proposed rulemaking in late spring/early summer of 2017. Central and regional storage tank program staff, together with program regulatory counsel, will be involved in the development of this rulemaking starting with concepts through the final rulemaking.

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**PRC:** 302DJ6

<b>Workplan Component:</b> Miscellaneous Program Activities	<b>Work Years/Allocated Funding:</b> FY 2014: 0.04/\$4,223 FY 2015: 0.04/\$4,223 FY 2016: 0.04/\$4,223	<b>State Contact:</b> Kris Shiffer	<b>EPA Contacts:</b> Program: Farhan Nuruzzaman, 215-814-3382 Grants: Evelyn Velazquez 215-814-5412
Environmental Outcomes	Measures	Outputs for FY14 - 16 (Commitments)	Status/Comment
To reduce the risks to human health and the environment from Underground Storage Tank (UST) releases by properly managing petroleum and hazardous substances.	F. Describe the measure for any state-specific activity not addressed elsewhere	F1. State may report other State-specific outputs not previously covered.	F1. See below.

On April 14, Randy Martin and Chad Clancy, Division of Storage Tanks, attended and spoke at the Pennsylvania Storage Tank Conference sponsored by the National Institute for Storage Tank Management (NISTM), held at the Radisson Hotel Harrisburg, Camp Hill. The one-day conference featured sessions covering a wide range of underground storage tank (UST) and aboveground storage tank (AST) topics including: Overfill Prevention, Gas Theft and Skimmers, Expect the Unexpected During AST Inspections, AST Testing – Integrity and Leak Test Methods, Installation and Operation of AST Tank Equipment, and an update on the EPA rule changes for UST's. Mr. Martin presented a "Pennsylvania DEP UST Update" and Mr. Clancy presented a "Pennsylvania DEP AST Update." Following the presentations, Mr. Martin and Mr. Clancy fielded a variety of questions pertaining to the UST and AST programs, respectively. Approximately 35 storage tank professionals including engineers, environmental consultants, AST and UST installers and inspectors, tank owners, and regulators attended the conference.

On April 22, Chad Clancy, Division of Storage Tanks, met with 12 other states with aboveground storage tank (AST) programs and individuals from the Environmental Protection Agency (EPA), in Orlando, Florida. As a member of the National Association of State Aboveground Storage Tank Programs (NASAP), Mr. Clancy provided representatives from the member states with updates on Pennsylvania's AST program, including how Pennsylvania regulates ASTs, certifies third-party tank installers and inspectors, and permits ASTs. Mr. Clancy also led the discussion at the annual NASAP Meeting on current items encountered in Pennsylvania, including tank owners implementing 'temporary repair' solutions to their AST systems. In conjunction with the NASAP meeting, Mr. Clancy also attended the National Institute for Storage Tank Management's International Conference from April 19 to April 21. Mr. Clancy was afforded the opportunity to attend highly technical presentations on AST related topics from worldwide industry experts. Topics covered during the 3-day conference included EPA's newly proposed rules for hazardous chemical ASTs, revisions to industry standards, and internal tank upgrade case studies.

On June 7, the Storage Tank Advisory Committee (STAC) held its first meeting of calendar year 2016 in Harrisburg, PA. Mr. Richard Burgan, Director, Bureau of Special Funds, Department of Insurance, provided an update with regards to the Underground Storage Tank Indemnification Fund (USTIF). Kris Shiffer, DEP, provided a brief update on the recently revised Federal UST regulations. The primary purpose of the June 7 meeting was to present and discuss additional concepts to improve and clarify Chapter 245. Mr. Shiffer presented the concepts via a PowerPoint and there was good feedback from the committee members.

On June 16, 2016, the Underground Storage Tank Indemnification Board held its second quarter Board Meeting for 2016, in Harrisburg, PA. An update on the Pollution Prevention Grant Program and Environmental Cleanup Program administered by the DEP was provided.

On June 22 and 23, the Steel Tank Institute (STI) held Cathodic Protection Testing training for DEP-certified underground storage tank installers and inspectors, members of the regulated community, as well as DEP staff. Approximately thirty individuals, including six DEP staff, attended the course which was held in the DEP Southwest Regional Office. Course participants receive practical hands-on training in cathodic protection testing, and upon passing a written test, will receive STI Certification for testing underground cathodic protection systems. This course was organized to fulfill requests by certified installers and inspectors for needed, specialized cathodic protection testing training. The training helps ensure competent, certified installers and inspectors that will perform quality work. Qualified cathodic protection testers provide services to assist underground storage tank owners in complying with regulatory requirements.

On September 22, 2016, the Underground Storage Tank Indemnification Board held its third quarter Board Meeting for 2016, in Harrisburg PA. On the agenda were updates on a new fee billing system and a brief report on the USTIF financial statements. In addition, an update was provided on the Pollution Prevention Grant Program and Environmental Cleanup Program administered by the DEP.

**Table 1: UST Inspection Tracking Chart**

Active federally-regulated UST facilities in State [7814]	Reporting Periods (non-cumulative)								Annual Total FY[16]			
Inspection Type	1 <sup>st</sup> half FY[16]				2 <sup>nd</sup> half FY[16]							
	State Inspections	3 <sup>rd</sup> Party Inspections (completed)	Total	Frequency [universe / (inspections x 2)]	State Inspections	3 <sup>rd</sup> Party Inspections (completed)	Total	Frequency [universe / (inspections x 2)]	State Inspections	3 <sup>rd</sup> Party Inspections (completed)	Total	Frequency (universe / inspections)
Significant Operational Compliance (SOC)  Note: Assumes 100% includes FR	286	1382	1668	2.36	213	1392	1605	2.43	499	2774	3273	2.39
# of follow-up inspections	600		600		407		407		1007		1007	

**Table 2: UST Enforcement Tracking Chart**

<b>Enforcement Type</b>	<b>Reporting Periods (non-cumulative)</b>	
	<b>1st half FY[ 16 ]</b>	<b>2nd half FY[ 16 ]</b>
<b>Informal Actions</b>		
NOVs	355	518
Field Directives	241	225
Notices of Non-Compliance	227	240
Voluntary Shutdowns	16	23
<b>Formal Actions</b>		
Ordered Shutdowns	3	4
Permit Revocations and Suspensions	9	12
Consent Orders	2	3
Civil Penalty Assessment	3	1
Consent Assessment of Civil Penalties	35	38
Delivery Prohibitions	9	12
Unilateral Orders	6	21
Field Orders	9	13
Penalties Collected	\$125,959	\$162,171

The Enforcement Tracking Chart above is to be used to track UST facility enforcement only. States are requested to report a single number for each enforcement type category (Informal Action/ Formal Action) or, alternatively, to break actions down into their subcategories. The use of State-specific subcategories is acceptable.

The minimum requirement for an enforcement action to qualify as an Informal Action is that the action must require the facility to return to compliance within a specified time period and to notify the State. For example, leaving a copy of the inspection report that requires the following actions by the facility would qualify as an Informal Action: (1) the facility must return to compliance within a certain period of time, and (2) the facility must certify to the State that it has returned to compliance. To leave a copy of an inspection report that does not require the above actions, does not qualify as an Informal Action.